

Hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV544978862US, in an envelope addressed to: MS PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: August 26, 2005

Signature: \_\_\_\_\_

*Georgia Hator*  
(Georgia Hator)

1006 Rec'd PCT/PTO 26 AUG 2005

PTO-1390 (Rev. 02-2005)


Approved for use through 03/31/2007. OMB 0651-0021

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER 562492004400
		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/537,195 ✓
INTERNATIONAL APPLICATION NO. PCT/GB2003/005361	INTERNATIONAL FILING DATE 9 December 2003	PRIORITY DATE CLAIMED 9 December 2002
TITLE OF INVENTION SUPPORT OF PLURAL CHIP RATES IN A CDMA SYSTEM		
APPLICANT(S) FOR DO/EO/US Martin W. BEALE		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.		
2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.		
3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.		
4. <input type="checkbox"/> The US has been elected (Article 31).		
5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2))		
a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).		
b. <input type="checkbox"/> has been communicated by the International Bureau.		
c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).		
6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).		
a. <input type="checkbox"/> is attached hereto.		
b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).		
7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))		
a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).		
b. <input type="checkbox"/> have been communicated by the International Bureau.		
c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.		
d. <input type="checkbox"/> have not been made and will not be made.		
8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).		
9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).		
10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).		
<b>Items 11 to 20 below concern document(s) or information included:</b>		
11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.		
12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.		
13. <input type="checkbox"/> A preliminary amendment.		
14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.		
15. <input type="checkbox"/> A substitute specification.		
16. <input type="checkbox"/> A power of attorney and/or change of address letter.		
17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.		
18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).		
19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).		
20. <input checked="" type="checkbox"/> Other items or information: Notification of Change of Status and Request for Refund (2 pages) Return Receipt Postcard		

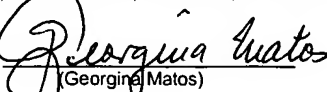
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U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/537,195</b>		INTERNATIONAL APPLICATION NO. <b>PCT/GB2003/005361</b>		ATTORNEY'S DOCKET NUMBER <b>562492004400</b>																	
The following fees have been submitted 21. <input type="checkbox"/> Basic national fee .....\$300 22. <input type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) .....\$100 All other situations .....\$200 23. <input type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority .....\$100 International Search Report prepared and provided to the Office .....\$400 All other situations .....\$500 <b>TOTAL OF 21, 22 and 23 =</b> .....\$				<b>CALCULATIONS</b>	<b>PTO USE ONLY</b>																
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th>Total Sheets</th> <th>Extra sheets</th> <th>Number of each additional 50 or fraction thereof (round up to a whole number)</th> <th>RATE</th> </tr> <tr> <td>- 100 =</td> <td>/50 =</td> <td></td> <td>x \$250.00</td> </tr> </table> Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).				Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE	- 100 =	/50 =		x \$250.00										
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- 100 =	/50 =		x \$250.00																		
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th>CLAIMS</th> <th>NUMBER FILED</th> <th>NUMBER EXTRA</th> <th>RATE</th> </tr> <tr> <td>Total claims</td> <td>108 - 108</td> <td>0</td> <td>x 50.00</td> </tr> <tr> <td>Independent claims</td> <td>4 - 4=</td> <td>0</td> <td>x 200.00</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(s) (if applicable)</td> <td>+ 360.00</td> </tr> </table> <b>TOTAL OF ABOVE CALCULATIONS =</b> .....\$				CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	108 - 108	0	x 50.00	Independent claims	4 - 4=	0	x 200.00	MULTIPLE DEPENDENT CLAIM(s) (if applicable)			+ 360.00		
				CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE														
Total claims	108 - 108	0	x 50.00																		
Independent claims	4 - 4=	0	x 200.00																		
MULTIPLE DEPENDENT CLAIM(s) (if applicable)			+ 360.00																		
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.																					
<b>SUBTOTAL =</b> .....\$																					
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).																					
<b>TOTAL NATIONAL FEE =</b> .....\$																					
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property																					
<b>TOTAL FEES ENCLOSED =</b> .....\$																					
				<b>Amount to be refunded:</b>	<b>\$2,950.00</b>																
				<b>Amount to be charged:</b>	<b>\$</b>																
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-1952. A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. <b>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the International Application to pending status.</b> SEND ALL CORRESPONDENCE TO:																					
				 SIGNATURE:																	
				NAME: <b>Bryan Wyman</b>																	
CUSTOMER NUMBER: 25226				48,049 REGISTRATION NUMBER																	

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Dated: August 26, 2005

Signature:

  
(Georgina Matos)

Docket No.: 562492004400  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Martin W. BEALE

Application No.: 10/537,195

International Application No. PCT/GB2003/005361

Filed: (Int'l) December 9, 2003

Art Unit: Not Yet Assigned

For: SUPPORT OF PLURAL CHIP RATES IN A  
CDMA SYSTEM

Examiner: Not Yet Assigned

**NOTIFICATION OF CHANGE OF STATUS AND  
REQUEST FOR REFUND UNDER 37 CFR 1.28(a)**

MS PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby notifies the Patent and Trademark Office that it is entitled to status as a small entity and that the filing fee paid on June 2, 2005 in the amount of \$5,900.00 was paid as a large entity. Since this Request falls within the three-month period of paying the full fee, a refund in the amount of \$2,950.00 is requested.

The Commissioner is hereby authorized to refund any overpayments to Deposit Account No. 03-1952, referencing docket no. 562492004400.

Dated: August 25, 2005.

Respectfully submitted,

By 

Bryan H. Wyman

Registration No.: 48,049  
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Palo Alto, California 94304-1018  
(650) 813-5779